

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON


JOHNNY M. DUNN,	:	
	:	
Petitioner,	:	Case No. 3:03cv00133
	:	
vs.	:	District Judge Walter Herbert Rice
	:	Magistrate Judge Sharon L. Ovington
WANZA JACKSON, Warden,	:	
Warren Correctional Institution,	:	
	:	
Respondent.	:	

DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS FILED ON MAY 4, 2005 (Doc. #11); GRANTING RESPONDENT'S MOTION TO DISMISS AS TIME BARRED (Doc. #4); DENYING AND DISMISSING JOHNNY M. DUNN'S PETITION FOR A WRIT OF HABEAS CORPUS; DENYING A CERTIFICATE OF APPEALABILITY UNDER 28 U.S.C. §2253(c); AND TERMINATING THE CASE ON THE DOCKET OF THIS COURT

The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #11), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations. It is therefore **ORDERED** that:

1. The Report and Recommendations filed on May 4, 2005 (Doc. #11) is ADOPTED in full;
2. Respondent's Motion to Dismiss Habeas Petition as Time Barred (Doc. #4) is GRANTED;
3. Johnny M. Dunn's Petition for a Writ of Habeas Corpus is DENIED and DISMISSED;

4. A certificate of appealability 28 U.S.C. §2253(c); and
5. The case is terminated on the docket of this Court.



Walter Herbert Rice
United States District Judge